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FILED

JUL 26 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RONALD KONIECZKA, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

INTEL CORPORATION, a Delaware
corporation,

Defendant.

No. C-05-2700

STIPULATION AND [PROPOSED]
ORDER TO CONTINUE FILING DATE
FOR DEFENDANT'S RESPONSE TO
PLAINTIFF'S COMPLAINT

IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR
COUNSEL AS FOLLOWS:

Pursuant to Civil Local Rule 6-2, Plaintiff Ronald Konieczka and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407 or, in the alternative, 45 days after any such motion has been denied. The parties request this transfer because the plaintiffs in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (BZ) (N.D. Cal., filed July 5, 2005), a related matter,

STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

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1 have filed a petition to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section
2 1407, and the above-styled action has been identified as a related action to that petition. As a
3 result the outcome of the pending petition will impact significantly the schedule of this case.

4 This is the first stipulation between the parties. Because this litigation has just
5 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

6 IT IS HEREBY STIPULATED.
7 DATED: July 19, 2005

8 Bingham McCutchen LLP

9
10 By: 
11 JOY K. FUYUNO
12 Attorneys for Defendant
13 Intel Corporation

14 Law Offices of Jeffrey F. Keller

15
16
17 By: 
18 JEFFREY F. KELLER
19 Attorneys for Plaintiff
20 Ronald Konieczka

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PROPOSED ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE

IT IS HEREBY ORDERED that Defendant Intel Corporation's response to Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section 1407, or, in the alternative, 45 days after any such motion has been denied.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 25, 2005


Honorable Marilyn Hall Patel
United States District Judge